

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD FEBRUARY 22, 1982

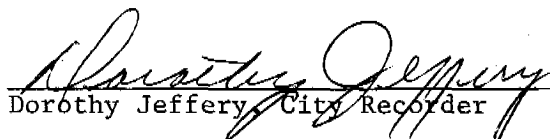
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6. Rae's Draperies will be given a refund for the application fee paid for a zone change request. Council Member Don Dafoe so MOVED, SECONDED by Council Member Don Bird. Motion carried.

Mayor Nielson asked if there were any other comments or discussion, there being none Councilmember Ruth Hansen MOVED the meeting be adjourned. The motion was SECONDED by Council Member Don Dafoes and the motion carried. The meeting adjourned at 11:45 p.m.



Grant S. Nielson, Delta City Mayor



Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 1, 1982

PRESENT:

Grant S. Nielson
Vance Bishop
Max Bennett
Don Bird
Ruth Hansen
ABSENT:

Mayor and presiding
City Administrator
Council Member
Council Member
Council Member

Don Dafoe
Willis Morrison

Council Member
Council Member

OTHERS PRESENT:

Warren Peterson
Dorothy Jeffery
Neil Forster
Ray Valdez
John Quick
Patricia Davies

City Attorney
City Recorder
Public Works Superintendent
City Building Inspector
City Engineer
City Clerk

Jack Fowles
Kyle Ekins
Duane H. Ekins
Tom Downing
Carl Sudbury
Mervin Williams

Roger Johnson
Russ Flwles
Don Daly
Raphael Mecham
Jack Grayson

Mayor Grant Nielson, being present, called the meeting to order at 7:00 p.m. Dorothy Jeffery, being present, acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of

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the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of the.

MINUTES

Minutes of a Public Hearing held February 22, 1982 were presented to the Council for its consideration and approval. Councilmember Max Bennett MOVED to approve the minutes and Councilmember Don Bird SECONDED the motion. The motion carried.

The minutes of a regular City Council meeting held February 22, 1982 were presented for review and approval. Councilmember Don Bird made a MOTION to approve the minutes. Councilmember Ruth Hansen SECONDED the motion, which carried unanimously.

Minutes of a Public Hearing held September 14, 1981 were presented for review by the council members. Councilmember Don Bird MOVED to accept the minutes and Councilmember Ruth Hansen SECONDED. The motion carried.

ACCOUNTS PAYABLE

The accounts payable were presented by the City Recorder and reviewed by the City Council. After a brief discussion of individual items on the accounts payable list, Councilmember Max Bennett made a MOTION to pay the accounts payable. A SECOND came from Council Member Don Bird. The motion carried.

PROPOSAL OF WATER TRADE FOR SERVICE

Mr. Mervin Williams stated to the City Council that he owns about 2 acres of property. by Delta Gas Co. and would like to trade 3 acre feet of water to the City of Delta for the right to connect to the city water system. It was suggested by Council Member Don Bird that annexation is the way to gain the right to City services in that area. After a discussion on the Day Estates hook ups and the current position of the annexation proposal, Mr. Williams asked if the city would protest an application to the State Engineer for a well permit. The answer was yes. The right to connect to city water was denied until there is annexation of the properties into the city.

FOURTH OF JULY CELEBRATION

Inez Moody appeared before the City Council to speak about the celebration held each 4th of July and particularly the need of a public address system. She told of the many embarrassing situations when the PA system failed. Council Member Don Bird made a MOTION that the City Administrator investigate and price some public address equipment. Councilman Max Bennett SECONDED and the motion carried. Mrs. Moody also recommended that Sharon Roper be asked to be chairman of the 4th of July celebration in 1982. Mrs. Moody thanked Sharon Roper and Karen Burraston for the job well done with 1981 celebration.

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ZONING ORDINANCE CHANGES

Planning and Zoning Chairman Jack Fowles explained the zoning ordinance changes recommended by the P/Z Committee. After a short discussion, a MOTION was made by Councilmember Max Bennett to adopt Ordinance #81-37 entitled:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF DELTA, UTAH TO PROVIDE FOR ADDITIONAL PERMITTED USES IN THE CENTRAL BUSINESS ZONE, TO CREATE A NEW DESIGNATION FOR CERTAIN ZONE DISTRICTS, TO CHANGE THE AREA REQUIREMENTS FOR CERTAIN MULTIPLE FAMILY RESIDNETS ZONES AND TO ESTABLISH A NEW MULTIPLE FAMILY DISTRICT DESIGNATION AND THE PERMITTED USES IN THAT DISTRICT.

The motion was SECONDED by Council Member Ruth Hansen. The Mayor asked if there was any more discussion on the issue. There being none, a roll call vote was taken.

Don Bird	Aye
Max Bennett	Aye
Ruth Hansen	Aye

Following the voting, Mayor Nielson signed the Ordinance #82-37 in open meeting. It was attested by the City Recorder, Dorothy Jeffery, and accepted as part of the official records of the City of Delta.

MUNICIPAL INSURANCE

Pat Manis of Manis-Leavitt Insurance Company reported to the City Council the results of his investigation of the insurance coverage which is in effect at the Delta City Airport. He stated that Alan Burraston has National Aviation Underwriters Insurance on the property that Del Aero leases from the city. That includes the hangar and from the road in to the hangar and a 30 foot radius around the gas pump. He said that Manis-Leavitt could write an airport liability policy which would cover the portions of the airport leased and would also provide landlord coverage. The policy would be an owners, landlords and tenants policy which would cover both exposures. As an alternative a basic policy could be written covering whatever limits were needed without naming Del Aero. The company which wrote the municipal package will not write an umbrella for the airport, but Aviation General, a company which specializes in aviation insurance will give whatever limits are wanted without a separate umbrella policy. The City Administrator recommended that the city approve a million dollar umbrella on the municipal package and have a policy on the airport written for up to 5 million dollars liability. Manis said he could deliver a binder showing that coverage mentioned and ask his company for permission to bind the airport. The Mayor inquired about the coverage on construction work on water and sewer lines outside the city limits. Mr. Manis said that the city has coverage for owners-contractors protective liability. One way suggested to handle that contingency is to have the contractors file certificates of insurance verifying that they do have coverage. Properties owned or leased by Delta outside city limits are covered by the insurance policy. Manis requested copies of the legal description of the properties owned outside the city limits.

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That would include the airport, dump and sewer lagoons. Mr. Manis said he would have the figures on the airport insurance in 2 weeks.

BUILDING LEASE PROPOSAL FOR THE CITY

BJF Management has submitted a lease proposal on the city building. The city has 2 options:

1. The city would lease space for a period of one (1) year. The rent would be \$1,250.00 per month. The City would be required to give BJF Investments no less than 90 days notice prior to the end of the one year lease, should they desire to enter into negotiations of an additional lease period. If the City desires to terminate this lease prior to one year, they may do so by giving them a formal 90 days notice. The notice to terminate said lease could not be terminated before nine months.

Under this proposal there would be no remodeling and the City would continue to pay their own utilities.

2. Delta City Building Associates would remodel the space the City presently occupies. Money would be spent on new heating and air conditioning, dropped ceilings, new lighting and partitioning the present space into additional modern offices. The rental would be based upon remodeling costs, plus interest based at the prime rate which would be amortized over the term of the lease.

The lease offer will be held open until March 25, 1982. Council Member Max Bennett MOVED to accept proposal #1 and have Vance Bishop negotiate with BJF for badly needed repairs. A SECOND came from Council Member Don Bird. The motion carried.

PLANNING CONSULTANT CONTRACT - UTAH ENERGY OFFICE

City Administrator Vance Bishop told the City Council about a proposal from the Utah Energy Office which makes a grant available to the city. The money would be used to hire a planning consultant and to pay for office expense. The planner would go through all the planning related ordinances, such as zoning, subdivision ordinance, master plan, etc. to review those ordinances and give recommendations concerning energy conservation methods. After a discussion, a MOTION was made by Councilman Don Bird to reject the Utah Energy Office proposal for the present. The SECOND came from Council Member Ruth Hansen. The motion carried.

ORDINANCE DEDICATING STREET AT NEW ELEMENTARY SCHOOL

City Attorney Warren Peterson presented an offer to dedicate property for street use from Eldro Jeffery and Leona Jeffery, a deed dedicating the street and an ordinance accepting the dedication. Mr. Peterson stated to council that Mr. Jeffery had a question about section A on the Offer to Dedicate.

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Mr. Jeffery's question concerned credit to be given on future annexation dedications. Mr. Peterson said that a likely place would be in the dedication of parks, but that it might be to Mr. Jeffery's advantage to leave the option open of where the credit would apply. The council members did not move to specify where the credit might be applied. After a short discussion, Councilman Don Bird MOVED to adopt ORDINANCE #82-38 entitled:

AN ORDINANCE ACCEPTING DEDICATION OF CERTAIN PROPERTY FOR WIDENING OF THAT STREET PRESENTLY DESIGNATED AS FIFTH SOUTH STREET IN THE CITY OF DELTA, UTAH.

The motion was SECONDED by Council member Ruth Hanse. The Mayor asked if there were any more discussion on the ordinance. There being none, a roll call vote was taken.

Don Bird	Aye
Max Bennett	Aye
Ruth Hansen	Aye

The motion carried unanimously.

DISCUSSION ITEMS

Carl Sudbury and Raphael Mecham came before the City Council to discuss the status of various petitions from National Landmark and Development Co. Corp. and their agent, Ecotek. The record shows that no final action has been taken by the City Council concerning either the request for annexation or the request for a zone change. There was a question as to whether National Landmark Dev. Co. had a legal right to petition for annexation. Documentation has already been submitted to the City showing that the bankruptcy trustee of the property (William Thurman) has concurred with the annexation request. After a short discussion, Councilman Max Bennett MOVED to instruct the City Attorney to prepare a resolution for annexation for the Council's consideration. A SECOND came from Councilman Don Bird. The motion carried. Because of procedural problems with the annexation, a preliminary resolution is to be placed on the agenda of next week's City Council meeting. Councilman Max Bennett MOVED to set a public hearing for March 22, 1982 at 6:00 p.m. on the zone change request. The motion was SECONDED by Councilman Don Bird. The motion carried unanimously.

OTHER BUSINESS

City Administrator Vance Bishop discussed the need for a set of the Utah Annotated Code. He explained his own need of the reference and also that of the Police Department. A MOTION was made by Councilman Max Bennett to approve the purchase of The Utah Code Annotated. Council Member Ruth Hansen SECONDED the motion which carried unanimously.

City Engineer John Quick proposed to the City Council that the contracts for the sewer line construction be put out to bid. The request for bids will be advertised for 3 weeks. Bids are to be opened March 29, 1982 at 5:00 p.m. at the Millard County School District offices. Bids will be accepted until

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3:00 p.m. of that same day at the Delta City Recorders office. An inspection trip may be arranged by appointment with Neil Forster, Public Works Foreman. The day set for inspections is March 18, 1982. Bids will be awarded at the City Council meeting March 9, 1982

Mr. Quick suggested that the grant offered to the City by the Utah Energy Office could be used by his office to study city ordinances, particularly the mobile home ordinance. Councilman Don Bird MOVED to rescind the motion to reject the grant offer from The Utah Energy office and further moved that John Quick put together a proposal. Max Bennett SECONDED. The motion carried.

The Mayor asked if there was any further business. There being none, Councilman Max Bennett MOVED to adjourn. Councilman Don Bird SECONDED. The meeting adjourned at 10:15 p.m.


Grant S. Nielson, Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 8, 1982

PRESENT:

Grant S. Nielson
Vance Bishop
Max Bennett
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor and presiding
City Administrator
Council Member
Council Member
Council Member
Council Member
Council Member

OTHERS PRESENT:

Warren Peterson
Neil Forster
Pat Davies

City Attorney
Public Works Foreman
City Clerk

John Wiser and daughter
Carl Sudbury
Raphael Mecham
Roger Stowell
Robin Pearson
Loy and Althea Crapo

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